

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

In Re Application of:

Fischer, et al.

Serial No.: 10/621,557

Filed: July 17, 2003

Confirmation No.: 1331

Group Art Unit: 2616

Examiner: Moore, Ian N.

Docket No.: (50337-1340)

For: Dynamic Assignment of Station Addresses Transmitted over Shared-Communications Channels

REPLY BRIEF RESPONSIVE TO EXAMINER'S ANSWER

Mail Stop Appeal Brief - Patents
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Examiner's Answer mailed July 15, 2008 has been carefully considered. In response thereto, please consider the following remarks.

It is not believed that additional extensions of time or fees are required to consider this Reply Brief. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account 50-0835.

REMARKS

In the Examiner's Answer, the Examiner has provided various responses to arguments contained in Applicants' Appeal Brief. Applicants address selected responses in the following.

According to the instant claim, the association identifier is assigned to the *station* – it identifies the station. Conversely, the identifier in *Donaghey* only identifies a particular stream. *Donaghey* clearly states that “the MAC address 610 and **stream number** 620 form the contents of a token 640.” *Donaghey*, col.6, lines 50-65.

The two operations of the claim and *Donaghey* are clearly different. As an example of the difference, in using the system recited by the claims, to identify all communication from a station, one station association identifier can be used. However, using the system disclosed in *Donaghey*, each communication identifier – stream number – would need to be used, demanding much larger processing overhead.

The Examiner's Answer alleges that “the features upon which the Applicant relies are not recited in the rejected claim(s).” “Thus, arguing ‘the stream number is not assigned to the PEA itself’ is irrelevant since nowhere in the broad claim recites, ‘an association identifier is ‘directly/itself’, ‘indirectly’ assigned to said station as station identifier.’” See *Examiner's Answer*, page 13. However, the claims do recite “assigning an association identifier to said station.” Applicants respectfully submit that whether the term “directly” is used is the irrelevant factor. The method recited in claim 1 recites “assigning an association identifier to said station.” The system of *Donaghey* fails to perform that function.

The Examiner's answer also appears to assert that the stream identifier indirectly identifies the station from which it is transmitted. However, Applicants respectfully submit that the stream identifier only identifies a station from which it is transmitted. As the stream in *Donaghey* is transmitted through multiple PEAs, the stream identifier then is indirectly associated with multiple PEAs. Such a happenstance "indirect" association amounts to no association at all. Therefore, *Donaghey* does not anticipate the claims, and the rejections should be withdrawn for at least that reason.

CONCLUSION

Based upon the foregoing discussion, Applicants respectfully request that the Examiner's final rejection of claims 1-42 and 44-52 be overruled and withdrawn by the Board, and that the application be allowed to issue as a patent with all pending claims.

Respectfully submitted,

/BAB/

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